



**PATENTS**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Bova, David  
Serial No.: 09/470,603  
Filing Date: 22 December 1999  
Docket Number: 50454-56101USCIP3  
Title: NICOTINIC ACID COMPOSITIONS FOR TREATING  
HYPERLIPIDEMIA AND RELATED METHODS  
THEREFOR  
Art Unit: 1615  
Examiner: Robert M. Joynes

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**VIA FACSIMILE**

Status and Entity Branch, Office of Finance  
703.308.5077 (This is the only page being transmitted.)

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**COMMISSIONER OF PATENTS AND TRADEMARKS**

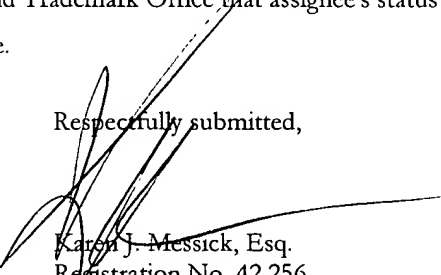
Box M Correspondence  
Washington, D.C. 20231

Sir:

**WITHDRAWAL OF SMALL ENTITY STATUS**

Pursuant to 37 C.F.R. § 1.27(g)(2), Kos Pharmaceuticals Inc., the assignee in the above-identified application, hereby notifies the United States Patent and Trademark Office that assignee's status has changed and Small Entity status is no longer applicable.

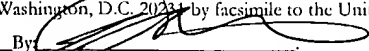
Respectfully submitted,

  
Karen J. Messick, Esq.  
Registration No. 42,256  
Attorney for Applicants

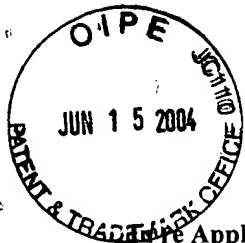
KOS PHARMACEUTICALS, INC.,  
1001 Brickell Bay Drive  
25<sup>th</sup> Floor  
Miami, Florida 33131  
Tel: (305) 523-3643  
Fax: (305) 377-4076

Date: 6/11/04

**CERTIFICATE OF MAILING OR TRANSMISSION PURSUANT TO 37 C.F.R. § 1.8**

I hereby certify that this correspondence is being transmitted to the Commissioner for Patents, Washington, D.C. 20231 by facsimile to the United States Patent and Trademark Office in accordance with 37 C.F.R. § 1.6(d) on 6/11/04 By 

Jared G. Silberhorn



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**Patent Application of:**

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Bova, David

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50454-56101USCIP3

NICOTINIC ACID COMPOSITIONS FOR TREATING  
HYPERLIPIDEMIA AND RELATED METHODS THEREFOR

1615

Robert M. Joynes

**Commissioner for Patents**

**P.O. Box 1450**

**Alexandria, VA 22313-1450**

Sir:

**TRANSMITTAL LETTER**

Enclosed for filing in the above-identified patent application are the following documents:

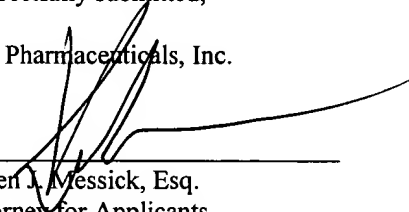
1. Amendment After Allowance Under 37 C.F.R. § 1.312;
2. Copy of Withdrawal of Small Entity Status transmitted via facsimile on 11 June 2004;
3. Issue Fee Transmittal Form;
4. Return Postcard.

No fees are believed to be due in connection with this filing however, please charge any necessary fees to our deposit account 50-2543.

If there are any questions, please call the undersigned at the telephone number indicated below.

Respectfully submitted,

Kos Pharmaceuticals, Inc.

  
Karen J. Messick, Esq.  
Attorney for Applicants  
Reg. No. 46,256

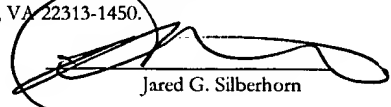
Kos Pharmaceuticals, Inc.  
1001 Brickell Bay Drive  
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Miami, Florida 33131  
Tel.: (305) 523.3643  
Fax.: (305) 377.4076

Date: 6/15/04

**CERTIFICATION UNDER 37 C.F.R. §1.10**

I hereby certify that the attached papers are being deposited with the United States Postal service as: Express Mail Post Office to Addressee" Service under 37 C.F.R. §1.10 on 15 June 2004 and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Express Mail Label Number

  
Jared G. Silberhorn